

ACC

10000/143/319

IRREGULAR
FEB. 1945 -

10000/143/319

IRREGULARITIES IN FOOD COMMODITIES, BOLZANO
FEB. 1945 - MAY 1946

Minute Sheet.

Director, Public Safety.

This report (2A) has been sent to the HQ. by C.L.O. Bolyano for information. The action taken by him is to hand all denunciations to the Procuratore del Reame, Bolyano, and he proposes to hand an abridged version of the report to the Italian Officials for necessary action concerning the Prefect of Bolyano.

As certain persons mentioned in the report are known to Executive Commission officials, I suggest he might like to peruse these papers.

11.2.46.

S. J. Hanery Maj
P.S. J/C.

R.S. 1312
2.
G.L. then C.A.S.

Submitted as A in 1.

11-2-46. R. 1070
E. J. Dyer. lat.

A/CSD R.S. 1312

3

Ex. Comm. has received Prefect de Angelis letter & knows Henry by name since he was one who was recommended as Prefect.

W.D. 7/3

The action taken to the Procurement del Regno, Bologna, and denunciations to hand an abridged version of the report he proposes for necessary action concerning the Italian Officials to the Prefect of Bologna.

As certain persons mentioned in the report are known to Executive Commissioner officially, I suggest he might like to peruse these papers.

11.2.46.

S/Hamer 1 May
R.S. S/C.

R.S. 13/12-
B.L. then C.A.S.

Submitted as above in 1.

11-2-46. R. 10/12

E.J. Dyer. 10/12

3

A/CSO H.S. 13/12

Ex. Comm. has received Prefect de Angelis Laro & knows Henry by name since he was one who was recommended as Prefect.

W.B. 2/3

P.O. Sc.

See Univ. 3.

W.B. 2/3
Ca. Action.

14 Feb.

ALLIED COMMISSION
OFFICE OF CHIEF LIAISON OFFICER
BOLZANO

3A

W 14 MAG. 1946

DATE: 2 May 1946.
SWM/eq.

REF: ACLO/BZ/46.

SUBJECT : Legal cases Bolzano.

TO : HQ, Allied Commission ROME,
for Civil Affairs Section.

I have already reported the delay in the disposal of legal cases in the Province of Bolzano and I think the attached report will interest you.

The Lana Monastery inquiries are worthy of Gilbert and Sullivan.

S.W. Miller
S.W. MILLER, Colonel,
Chief Liaison Officer
BOLZANO.

Legal Secy
Legal Secy
pk. 17/may.

1 encl.



ACLO/52/105.11

29 April 1946

WRH/mab

SUBJECT: Outstanding Legal Cases of
Interest to the Allied Military
Authorities.

TO : C.L.C., Palermo.

1. With reference to your recent memoranda
respecting subject.

2. The following is the position in respect
of the sugar case.

3. The whole matter was passed over by the
Alimentazione Officials to the Procuratore del Regno,
who made certain enquiries in the matter and kept the
seven prisoners in custody for two weeks whilst so doing.

4. After this period of two weeks he passed the
case over to the Giudice Istruttore, Dr. Dordi, who now
has the matter in hand.

5. Dr. Dordi kept the prisoners in custody for
a further two weeks and then allowed them bail, 1000 and
10000 in the sum of 50,000 lire each and the remaining
prisoners in the sum of 30,500 lire each.

6. I understand from the Procuratore del Regno
that this will be a lengthy investigation before there
can be any question of taking it before the Courts.

7. The sugar has to be traced back to its source
and having ascertained how much sugar was originally obtain-
ed by these people, it then has to be ascertained what
has happened to the sugar that was not found at the
various searches.

8. Another thing that is holding up the investigat-
ion is the fact that the ex-Préfet De Angelle is implicat-
ed. Proceedings cannot be taken against him, until
authority is received from the Ministry of the Interior.

ACLP/EX/108.11

29 April 1946

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WRR/mab

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8. Another thing that is holding up the investigation
is the fact that the ex-Præfect De Angelis is implicat-
ed. Proceedings cannot be taken against him, until
authority is received from the Ministry of the Interior.

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Application has been made to the Ministry of the Interior to take proceedings against De Angelis, but no reply has been received to date.

9. The reason the Ministry of the Interior's permission is required to prosecute De Angelis is because at the time of the alleged offence he was the Prefect of the Province.

10. The Lana Monastery case is now in the hands of the Procuratore del Regno and it would appear that it gets more complicated as time passes.

11. The original CC.RR. report to the Procuratore del Regno stated that there was insufficient evidence to prosecute the monks, but sent the information to the Procuratore del Regno to take what action he considered necessary. As the result of the intervention of this Office, further enquiries were made in the case and on the 4th of February 1946 a proper denunciation was submitted to the Procuratore del Regno by the CC.RR.

12. Whilst enquiries were being made by the Procuratore del Regno, the Prior of the Monastery made a statement to the effect that Capt. Palermo had stolen a watch, property of one of the paggle found in the Monastery, but, according to enquiries up to that time, the allegation was found to be untrue as a watch similar to the one alleged to have been stolen by Capt. Palermo was found in the Monastery.

13. As a result of this Capt. Palermo lodged a denunciation with the Procuratore del Regno against the Prior of the Monastery for larceny.

14. Further enquiries were made by the Procuratore del Regno and it is now alleged there were two watches and there is some circumstantial evidence that Capt. Palermo did steal a gold watch and this matter is now subject of further enquiries.

15. To add fuel to the fire, the Prior of the Monastery called at the CC.RR. Station some time during the month of March 1946 and was allowed to inspect the property taken possession of by the CC.RR., when the Monastery was originally raided on the 3rd December 1945.

16. The Prior was allowed to examine the property and expressed his satisfaction that it was all intact.

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12. Whilst enquiries were being made by the Procuratore del Regno, the Prior of the Monastery made a statement to the effect that Capt. Palermo had stolen a watch, property of one of the people found in the Monastery, but, according to enquiries up to that time, the allegation was found to be untrue as a watch similar to the one alleged to have been stolen by Capt. Palermo was found in the Monastery.

13. As a result of this Capt. Palermo lodged a denunciation with the Procuratore del Regno against the Prior of the Monastery for libel.

14. Further enquiries were made by the Procuratore del Regno and it is now alleged there were two watches and there is some circumstantial evidence that Capt. Palermo did steal a gold watch and this matter is now subject of further enquiries.

15. To add fuel to the fire, the Prior of the Monastery called at the CC.MR. Station some time during the month of March 1945 and was allowed to inspect the property taken possession of by the CC.MR., when the Monastery was originally raided on the 3rd December 1943.

16. The Prior was allowed to examine the property and expressed his satisfaction that it was all intact.

He was accompanied by his secretary, one of the monks.

17. A few days later a typewriter was found to be missing from the C.D.R.R. property store and enquiries showed that it had been taken away by the Prior without permission, hidden under his robes.

18. The Prior has now been denounced for stealing the typewriter from the C.D.R.R. Station and this matter is being investigated by the Procuratore del Regno.

19. That is hoped to be the last denunciation by anybody in this matter, has been made by the Prior of the Monastery against Capt. Palermo for his conduct during the search on the 3rd December 1945.

20. Despite all these difficulties, the Procuratore del Regno informed me that he hopes to have the case with all its complications before the Courts about the end of May 1946.

21. The case of Bucky Raoul is in the hands of the Procuratore del Regno and this case seems to be causing him some trouble.

22. Owing to a technical point in Italian law, which says that once a person is put on provisional liberty he cannot be re-arrested unless fresh facts are brought to light, the Procuratore del Regno has had no alternative but to place Bucky on provisional liberty pending completion of the enquiries, as he was allowed bail by the Allied authorities in December 1945.

23. There has been correspondence between this Office and the Procuratore del Regno on this matter and several conferences. But not until recently was a definite course of action decided.

24. I unsuccessfully endeavoured to convince the Procuratore del Regno that the latest information supplied by the SIZ Sergeants from Milan constituted fresh facts in the case, whereby Bucky could be kept in custody, but the Procuratore del Regno would not agree.

25. Having been allowed on provisional liberty, Bucky proceeded either to Venice or Milan and was expected back about the 20th of April 1946, when the Procuratore del Regno intended to interrogate him respecting the matter brought up by the SIZ from Milan, i.e. the case of the bottles.

26. I have a feeling that Bucky will probably slip through the Italian law in this matter and in an endeavour to have him under proper control, I have placed the case in the hands of the Questura to investigate whether or not Bucky is a fit and proper alien to be allowed in the Kingdom of Italy.

W. R. Harte
W. R. Harte,
Major,
I.O. (P.S.)

WRH/nab

2A

ALLIED COMMISSION
Office of Chief Liaison Officer
BOLZANO

1401/14/1

6 February 1946

SUBJECT : Sugar (MENZ & GASSER of Lana;
and ZUEGG Vigilio of Lana)TO : C.L.O. Bolzano
REF. : ACLO/BZ/108.2.22

1. In pursuance of your instructions received on Saturday the 2nd of February 46 the undersigned has made enquiries with the object of ascertaining the facts relating to the finding of sugar on the premises of subject on three separate occasions.
2. Each occasion will be dealt with separately and in chronological order.
3. On the 17 October 45 Capt. Palermo of the CC.RR. of Merano ordered Maresciallo Colonna to raid the premises of Menz and Gasser, jam manufactory at Lana di Sotto.
4. As the result of this raid 1150 sacks of white sugar were found and it was believed at the time that each sack contained 1 qtl of sugar. The sacks of sugar were not moved until about the 9th or 10th of December 45 when the weight was declared to be 907 qtl., although the number of sacks remained the same.
5. The undersigned has interviewed Capt. Palermo who states that it is not the practice of the CC.RR. to inform their higher authorities of inquiries that are proceeding until it has been definitely established whether or not there is a case to be presented to the courts.
6. Under these circumstances it is not surprising that no other person than Capt. Palermo and his CC.RR. staff had any knowledge of the raid at the factory of Menz and Gasser on the 17th of October 1945, until Capt. Palermo submitted a denunciation of the case to the Legal Office AMG Bolzano on the 15th of December 1945.
7. The day following the raid, the 18th of October 45, Capt. Palermo was sent for by the Prefect De Angelis. The meeting was arranged at Villa Beatrice, the private apartment of De Angelis where Capt. Palermo was interviewed in the presence

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Mr. Tischler, the Prefect's secretary.

8. De Angelis informed Capt. Palermo that he was aware of the presence of the sugar found by Capt. Palermo the previous day at the jam factory of Menz and Gasser and that the whole thing was in order. At the same time he asked Capt. Palermo not to make any denunciation in respect of the sugar as he would produce the necessary documents to prove his statement. After waiting for about a week Capt. Palermo received a telephone message that the Prefect would like to see him but Capt. Palermo decided to send Capt. Donatelli, his Second in Command, to hear what the Prefect had to say on this occasion. When Capt. Donatelli returned he reported to Capt. Palermo that the Prefect had stated that all the papers were in order but that he, the Prefect, had to go to Rome and asked that Capt. Palermo do nothing in the matter in the meantime.

9. Prefect De Angelis was away about 10 or 14 days. On 2 or 3 December 45 Avvocato Alinej, the lawyer of Menz and Gasser, called on Capt. Palermo and told him that he had been instructed by Menz and Gasser and the Prefect to call on Capt. Palermo and endeavour to settle the sugar business on a friendly basis.

10. This Capt. Palermo refused to do saying that the whole matter must be dealt with legally and he awaited a statement from Menz and Gasser as to how they came by the sugar and whether or not it was regularly denounced. Further Capt. Palermo stated that he was waiting for a letter from the Prefettura as to whether or not they had received a denunciation of the sugar.

11. During the evening of it is believed the 12th of December 45 Alinej again called on Capt. Palermo and presented two letters, copies of which are attached, marked A and B. The letter marked A was addressed to the CC.RR. from Menz and Gasser, stating that they were prepared to hand over the sugar to the Alimentation Office and that the amount was 907 qtls in all. The letter also states the dates the sugar was received by Menz and Gasser.

12. The letter marked B, addressed to the CC.RR. from the Prefettura of Bolzano states that the sugar in question was confiscated by that office and asked for delivery of the same.

13. Capt. Palermo informed the undersigned that these two letters, it was later admitted by Menz and Gasser, had been typed in their office and also that the signature on the letter B, which is illegible, is that of Franchi of Sepral and bore two Prefettura stamps.

14. As it appeared to Capt. Palermo that everything was not in order in this matter he refused to lift his ban on the sugar and proceeded to prepare his denunciation in the case for the Legal Office AMG Bolzano.

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15. After this denunciation had been submitted Capt. Palermo received a declaration in writing from the Prefettura of Bolzano dated the 17th of December 1945 signed by Franchi to the effect that the sugar in question had been denounced to the Alimentation Office at the Prefettura, Bolzano. Copy of this letter is attached, marked C. A copy of the denunciation submitted by Capt. Palermo to the Legal Office AMG Bolzano is attached, marked D.

16. In addition to interviewing Capt. Palermo in this matter Dr. Max Katzburg of the Legal Office AMG Bolzano and at present employee of the Allied Commission, Liaison Group Bolzano has submitted a report on the facts as known by him, copy of which is attached and marked E.

17. This report of Dr. Katzburg deals in more detail with the matter referred to. It would appear from Dr. Katzburg's report that there was collusion between persons at the Prefettura and Menz and Gasser in evading the law in this matter as it was later ascertained that letters A, B and C had all been typed on the premises of Menz and Gasser and in the case of letter C the Prefettura stamps had been added afterwards.

18. In addition to Dr. Katzburg's report marked E he submitted a further report, copy attached, marked F, which sets out what happened to the denunciation marked D after receipt in the Legal Office, AMG.

19. I would here say that after AMG closed down and the Italian Government took over the administration of this Province all denunciations referred to in this case were handed to the Italian Courts and had to be borrowed to compile this report.

20. It will be seen from Dr. Katzburg's report marked F that in the first paragraph he deals with a denunciation against Menz, only, for having issued incorrect certificates. As this denunciation arises from the facts already dealt with it is not deemed necessary to attach a copy to these papers, but it can be obtained if so desired.

21. The report of Dr. Katzburg marked F is selfexplanatory but I would like to draw attention to the third paragraph which deals with efforts made by AMG Bolzano Province to distribute sugar to the population for Xmas.

22. It will be seen from this third paragraph that it was not allowed but the undersigned has received reliable information that the Alimentation Office of Bolzano issued 100 gr. of sugar per head for the Xmas period, suppositly from the sugar found at the premises of Menz and Gasser on the 17th of October 1945.

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23. The sugar found at the premises of Menz and Gasser on the 17th of October was white, the sugar issued to the population was brown. It would appear that somebody should be able to explain this when it is born in mind that the legal market prize of white sugar is Lire 138 per Kg. and the legal market prize of brown sugar is Lire 65 per Kg. It would appear even more necessary to obtain an explanation when one looks at the black market prizes of sugar: white sugar Lire 800, brown sugar Lire 300 per Kg.

24. On the 8th of December 1945 Capt. Palermo acting on instructions received organized a raid on the Albergo Aquila Nera at Lana. This albergo is owned by Zuegg Vigilio and he also lives on these premises.

25. It is understood that large number of gold coins were expected to be found and such importance was attached to this raid that the following Allied officers were present:

- Col. Purbes, Commanding Officer 60 Sub-Area,
- Major Harrison, Acting Provincial Commissioner, AMG Bolzano,
- Capt. Brown, P.P.S.O. AMG Bolzano,
- Capt. Hopkins, C.A.O. Merano,
- Capt. Clark, Intelligent Officer 60 Sub-Area
- Mr. Bay Rossi, Special Agent American C.I.O.
- S/M Whittam, 311 FSS.

The Allied officers acted as observers only, the raid being conducted by Capt. Palermo, CC.RR.

26. The full details of this raid and what was found there is dealt with on page 5 of Dr. Katzburg's statement E attached and he submitted that denunciation on the 17 December.

27. It would appear from information available that the gold coins it was hoped to find did not come up to expectation but there were offences committed by Zuegg and a denunciation was submitted by Capt. Palermo on the 17th of December 45 to the Legal Office AMG Bolzano in respect to the offences brought to light. The interesting part of this raid as far as the report is concerned is that before leaving the premises Capt. Palermo asked Zuegg if he had any large quantities of sugar. Zuegg informed Capt. Palermo that he had 2600 qtls of sugar in his jam factory at Lana. Asked to explain the circumstances of his possession of such a large amount he said that he, Zuegg, had been instructed by Franchi of the Alimentation Office Prefettura Bolzano to hide 1500 qtls of sugar in large vats underground and not to denounce it. The remaining 1100 qtls, of which 156 qtls was brown sugar, was held at the disposal of the Guardia di Finanza as the tax had not been paid. Zuegg stated that he reported his possession of 1100 qtls to the

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Sepral every two weeks but in accordance with instructions from Franchi did not divulge his possession of the 1500 qtls.

28. Capt. Palermo informed the undersigned that he had received information that Zuegg had 10,000 qtls of sugar hidden away and as Zuegg had only admitted 2600 qtl Capt. Palermo asked him where the 10,000 qtls was hidden.

29. Zuegg informed Capt. Palermo that the 10,000 qtl had been kept in a warehouse at Laces, Val Venosta, and that the Americans had taken it over.

30. Capt. Palermo caused inquiries to be made and ascertained that Zuegg did not make his fortnightly report to Sepral respecting his possession of the 1100 qtl of sugar as he had stated to the Capt. on the 8th of December 45.

31. In consequence of this Capt. Palermo submitted a denunciation in respect of the 2600 qtl of sugar to the Legal Office AMG Bolzano about the middle of December 1945.

32. On the 24th of December 1945 Capt. Palermo CC.RR. was suspended from duty. A report dealing with this has been submitted under Ref. No. ACLO/BZ/108/1.7. Result of Capt. Palermo's suspension was that all inquiries he was making in respect of the matter dealt within this report and other cases of interest of the Allies were held up.

33. As far as matters in this report are dealt with, as far as can be ascertained, the property of German origin found at the Albergo Aquila Nera on the 8th of December 45 and numerated on page 5 of Dr. Katzburg's statement marked E HSS. Not been properly inquired into.

34. From AMG point of view any delay by AMG in dealing the matter is explained by Dr. Katzburg's report marked F, from which it will be seen that he handed over to the Italian Courts all outstanding cases, early in January, including those mentioned in this report.

35. On about 18 or 20 of January 46 Capt. Palermo received information that at a small country house at Lana owned by Gasser Mattia and used by him as a storehouse had stored therein a large quantity of sugar.

36. Bearing in mind that he had been suspended from duty and unable to act in his capacity as CC.RR. he passed this information to Maresciallo Mateoli for necessary action.

37. As a result of this information Maresciallo Mateoli raided the premises on the 23rd of January 1946 and found the 2000 sacks of sugar approximate weight 1269 qtls. This weight was supplied by Gasser who stated that the sugar was an old allocation that they have not used in the jam factory.

38. A denunciation in this case is being prepared for the Italian Courts by Maresciallo Mateoli.

39. There are several interesting side-lights to this sugar question. One is that on or about 15 September 45 the Prefect De Angelis wrote a letter to Rome, Office not known.- Alto

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Commissario Alimentazione Milan and Ufficio Alimentare Regionale Padova, stating that at that time - 15th of September 1945 - there was no sugar in the Province and the jam factories would have to close down in consequence.

40. The information contained in paragraph 39 ^{has} ~~has~~ not been verified but was received from reliable sources and is believed to be true.

41. During the month of January 46 Menz and Casser went to, or communicated with the Alto Commissario Alimentazione Milan and stated they had no sugar and would have to close down their factories. As a result of this they were allocated 300 qtl of sugar to be taken from the sugar that Zuegg admitted to Capt. Palermo he had in his factory, when Capt. Palermo interrogated him on the 8th of December 1945.

42. The foregoing is an overall picture as far as the undersigned has been able to ascertain up to date, but to make it a little more clear as to what Dr. Katzburg refers to in the third paragraph of his statement marked F I attach a report from Mr. Klopfer, Food-Supply Officer AC, LO marked G setting out the action he took in the matter. There are also three other documents attached to G marked G1, G2, G3, the whole of which is selfexplanatory.

Conclusion 43. It would appear from the informations to hand that the ~~completion~~ is as follows: that on the 15th of September 45 Prefect De Angelis reported to the Italian Food Authorities that he had no sugar in the Province. On the 17th of October 45 907 qtl of sugar was discovered at the jam factory of Menz and Casser at Lana which Prefect De Angelis said he knew of. In addition there are the other two denunciations dealing with 2600 qtl and 1269 qtl respectively all in the hands of the three persons Menz and Casser and Zuegg.

44. It would appear on the surface at least that De Angelis' letter of the 15th of September 45 was wrong and that the other three persons are engaged in clandestine transactions of sugar in very large quantities.

W.H. Hare
W.H. HARE, Major
Liaison Officer P.S.

Encl. 10.

1065

FRUIT EXPORT - MATTIA GASSER & Co.

Lana, 12 December 1945.

To Captain CC.R^h.M E M O

With this letter I wish to state that I am ready to deliver to the Prefettura or to the Ufficio Alimentazione the sugar that was sequestered on my premises on the 17th of October 1945 by the Maresciallo CC.R^h of Lana.

Said quantity amounted to 907 quintals. I wish to point out that said sugar was legitimately bought from National Refineries "ERIDANI" of Genoa and were delivered to us by their factories in Cologna Veneta in various lots during the first half of January and the first half of February of this year as follows:

Invoice No	32	dated	24	January	1945.
"	"	33	"	24	" 1945.
"	"	76	"	1	February 1945.
"	"	80	"	1	" 1945.
"	"	90	"	6	" 1945.

and was to be used exclusively for making jam for the "Menz & Gasser Co" of Lana.

Signed: MATTIA GASSER

B

16

R. PREFETTURA OF BOLZANO

UFFICIO ALIMENTAZIONE

TO : The Captain CC.RR. - MERANO

Merano, 12 December 1945.

As agreed upon with the Prefettura of Bolzano, I inform you that the 907 qtls of sugar sequestered by you in the stores of Gasser and Co. of Lana, is requisitioned by this Office, which will proceed to collect it.

Therefore you are asked to deliver a/m quantity of sugar to this Office.

Signature illegible.

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PREFETTURA OF BOLZANO
Ufficio Alimentazione

Bolzano, 17 December 1945.

Rep. - Food Industries

Ref. UA/16 - Kl/pe - M/2

File No. 236

STATEMENT

This letter is to state that the consignment of sugar in the possession of Menz & Gasser of Lana, stored in Menz & Gasser's stores in Lana, has been denounced to this office.

This letter is forwarded at the request of the firm in question.

THE MANAGER

Signed: Franchi

Stamps: Prefettura Bolzano
Ufficio Alimentazione.

LEGION OF CC.RR. BOLZANO
Company of Merano.

Merano, 15 Dec 1945.

SUBJECT: Denunciation of a quantity of goods illicitly retained by GASSER Mattia of Lana of the Menz & Gasser Co., of Lana di Sotto to the Allied Prosecutor, Bolzano.

On the 17th October 1945 at 1000 hrs the Carabinieri Reali of Lana, following orders received, made a search in the premises of Menz & Gasser Co. of Lana di Sotto, Jam-Factory (See enclosure No. 1) 1.150 sacks of sugar (907 quintals) and about 100 quintals of nails were sequestered as well as a number of other things. Attention was attracted by the fact that these goods were hidden behind empty cases and cases of fruit. Gasser was interrogated and said that the sugar had been assigned to him by the Ufficio Alimentazione of Bolzano. Subsequently Gasser, as is shown in his report, states that the Prefettura of Bolzano knew about said sugar, and gave no further particulars.

As the whole matter looked suspicious, investigations were started. Meanwhile Gasser on the 18 October sent a statement to the Prefetto of Bolzano, copy enclosed, in which he complained about the action of the CC.RR. who, according to him, had sequestered certain objects they had no right to confiscate.

One or two days later, on the 18th of 19th, two persons from the Prefettura came to interview the undersigned, stating that by orders of the Prefect they were in a position to confirm that the Ufficio Alimentazione knew about the a/m sugar and its legitimate origin, at the same time asking this office for its release. Suspecting this might not correspond to the facts, especially as there were no written documents upon the matter, the undersigned decided to make a decision after having spoken to the Prefect. A few days later, the undersigned was asked by the Prefect of Bolzano to settle the matter on a friendly basis, as the whole business was quite legal. Subsequently the Prefect again interviewed on more than one occasion Capt. Donatelli upon the subject, as the undersigned was absent at that time. However, the undersigned had no documents proving the rightful ownership of said goods and therefore again refused to return them, also because in the meantime the Prefect had left the town and therefore could not make any decision upon the matter. A few days ago said Prefect made it known through Avv. Alinei, lawyer of Gasser, that Gasser had stated that he was ready to give up all the sugar in spite of the fact that it had been regularly bought and stored. However, the undersigned did not accept this proposal because, as he said to Avv. Alinei, either the sugar was legitimately detained, and in that case Gasser would have suffered no consequences in the matter, or the sugar was illicitly in his possession, and in that case Gasser would have had to answer for it. Moreover, the undersigned asked that

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a statement be submitted to him by Gasser proving how said sugar had come into his possession and to whom he had notified the existence of said commodity. He also asked for a statement of the Prefettura of Bolzano confirming that Gasser had actually notified the sugar in his possession.

A few days later a/m Avv. Alinei gave the undersigned a statement of Mr. Gasser in which said Gasser declared he was willing to deliver the sugar to the Ufficio Alimentazione in spite of the fact that he had been allotted said sugar in January or February 1945.

No mention was made of any previous notification to the Ufficio Alimentazione of the Prefettura of Bolzano.

Said Avv. Alinei brought moreover another letter of the Prefettura of Bolzano, Ufficio Alimentazione, which stated that said Office, in agreement with the Prefettura, requisitioned the sugar that had been sequestered from Gasser to the amount of 907 quintals. It also asked that the sugar in question be delivered to said office.

The undersigned upon examining the letter of the Prefettura of Bolzano noticed that it had been typed on Gasser's typewriter, as can be ascertained from the two preceding a/m letters, written by Gasser. As all these circumstances appeared to be rather suspicious, after having asked the Allied Prosecutor for his opinion, said Allied Prosecutor having previously been interested in this connection because of the a/m sequestration, the whole matter is brought to the notice of the Allied Military Courts for settlement, and pending further instructions, a/m commodity will not be removed.

In making investigations for another large quantity of sugar subsequently sequestered from Zuegg, circumstances have come to light which, if necessary, will be submitted to these Courts.

Signed: Capt. PALERMO.

1020

Lana, 18 October 1945.

TO : His Excellency the Prefect of Bolzano.

I beg to state as follows:

Yesterday, 17th inst. two Marescialli of the Comando Stazione CC.RR. of Lana and several CC.RR. came to my house to make a search in my home and in my stores. A quantity of goods were sequestrated, and I believe it is intended to subsequently sequester a number of other articles:

I make a protest against this search for the following reasons:

1) I must point out that as a landed proprietor, and fruit-merchant (I am the most important merchant in the area) and as an industrialist I am obliged to have a large quantity of food upon the premises, because my workmen get food as well as their salary.

So as to avoid discontent I have also been obliged to provide my staff with cigarettes and tobacco.

2) I have never dealt in black market or taken interest in politics. On the other hand I am well known and I believe well thought of. The day in which I was treated by the CC.RR. of Lana (new personnel who do not know me) has been really humiliating. They requested for an explanation of every object in my possession, it almost appeared they suspected me of theft or similar crimes.

3) Six bags of salt were confiscated which had been allotted to me by the Ufficio Compartimentale dei Monopoli of Trento, as can easily be proved. They even confiscated some clothing, tools and other articles which undoubtedly I have every right to have in my possession. With reference to the tobacco and cigarettes I have already explained why they were found on my premises. With reference to the electric refrigerator I wish to point out that anybody may legitimately buy and have such machines on his premises. As regards the petrol and naphtha found on my premises I have in my possession the regular coupon thereof.

I bought the three anti-gas masks at the beginning of the war, when I was obliged to do so by the law. As a point of fact I bought several dozens.

I wish to point out that I employ 500 workmen and I must do everything in my power to avoid disturbances, and up to date I am proud to say that I have been able to keep order and provide for the welfare of my staff. I have never made any difference between Italian workmen and South Tyrolians, therefore as a honest citizen I did not expect to be treated as I was treated yesterday, when my house and my store were searched from top to bottom and things were confiscated, of which the origin can be explained at any moment.

I therefore beg your Excellency to take an interest in the matter, with many thanks.

Signed: GASSER MATTE.

BOLZANO PROVINCE
A.C. Liaison Group

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SUBJECT : Firms MENZ & GASSER and ZUEGG - Lana.

TO : C.L.O. Bolzano

Copy to : P.S.O.

2 February 1946
MK/Mab

Ref. : BZ/04/A/0202

1. Enclosed herewith report about the raids made by CC.RR. of Merano in the factory and houses of Menz and Gasser and Zuegg Vigilio at Lana.
2. The report brings the facts in chronological order and is based on the original documents of investigation now in hands of the Procuratore del Regno, Bolzano and the Compagnia CC.RR. Merano.
3. As far as the large amount of boxes of German soldiers and SS men is concerned I recommend that the same action be taken as in the case of the Monastery of Lana.

Signed: Dr. MAX KATZBURG.

Encl.

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R E P O R T

about the raids made by the CC.RR. Merano in the Jam-Factories of the Firm MENZ & GASSER and in the Jam-Factory of the Firm Vig. ZUEGG.

On the 17th October 1945 the CC.RR. of Lana under the supervision of Capt. Palermo made a search on the premises of the Firm Menz "Gasser" at Lana. As result of the search the following goods have been found:

- 6 sacks containing salt, total weight 200 Kg.
- 5 boxes containing about 60 Kg of cigarettes,
- 1 tyre type "Firestone",
- 4 complete wheels with tyres and inner tubes, type Morelli,
- 1 frigidaire of German origin,
- 2 sacks containing tobacco, approx. 20 Kg.,
- 1 drum containing about 150 Lt. petrol,
- 1 " " " 200 " "
- 1150 sacks of sugar, total weight about 1000 qtls.,
- 100 qtls. of nails.

It is pointed out that all these goods were found after a long search as they were thoroughly hidden and covered with fruit boxes and sacks or otherwise.

On the afternoon of the same day a search was made in the house of GASSER Mattia. A large quantity of rationed food-stuff was found, furthermore:

- 80 quintals of cement,
- 20 drums containing each appr. 200 Lt. of petrol,
- 2 " " " 200 Lt. " naphta,
- 3 " " " 200 Lt. " lubricating oil,
- 2 new batteries for motorcars,
- 14 tyres for motorcars,
- 4 " " trucks,
- 1 truck Lancia in excellent condition without identification document.

The head of the Firm Menz & Gasser was questioned by the CC.RR. He could not give any explanation justifying the possession of rationed goods, petrol, tyres etc. (sugar excepted) and the Italian Procuratore to whom the papers were handed over on instructions received from Major Harrison will procede against Gasser for violation of the Italian Ration Law and for offences against the Allied Military Government. The offences against AMG-Orders and Proclamations are as follows:

- 1) Violation of Proclamation No 1, Article V, Section 28 for not having declared enemy materials.
- 2) Violation of Provincial Order No. 2 for not having declared tyres, gasoline and naphta.
- 3) Violation of Provincial Order No. 3 for having acquired without permission of AMG one Lancia truck, without identification booklet.
- 4)

- 2 -

- 4) Violation of Provincial Order No 3
for having acquired spare parts for motorcars without
permission of AMG.

Unlawful possession of cement, cigarettes, nails, salt,
tobacco is covered by the Italian law.

Questioned about the sugar Mr. Gasser stated to have hidden
the same on instructions received by the Prefettura and the
Ufficio Alimentazione having denounced the sugar regularly to
the Sepral and the Prefect himself had knowledge of the
existence of the quantity found in his premises. The books
of the Sepral were checked by CC.RR. but the amount of sugar
of Gasser was not registered. Therefore the CC.RR. forfeited
the sugar and gave order that the sugar should not be removed
or used without the consent of the competent judicial authorit-
ies. The Prefect asked the Capt. of CC.RR. to come to his Office
explaining to have had knowledge of the existence of the sugar
and he gave order to Gasser to hide it because he feared that
the Allies would take the sugar from the Province and use it
for their own purposes. The Prefect, however, changed these
explanations, stating after that the first Provincial Commission-
er of this Province had knowledge of the existence of the sugar
and the sugar was hidden in agreement with him in order to avoid
that it would be used for distribution in other Provinces.
The Prefect changed also this explanation admitting that AMG
had no knowledge of the existence of the sugar, but that the
sugar was hidden on his orders for the benefit of the populat-
ion of the Province of Bolzano.

On the 12 December 45 an official letter was sent to the
CC.RR. Merano by the Ufficio Alimentazione. The contents of the
letter is of importance and therefore the original text is here
reported, as well as the translation in English:

R. PREFETTURA DI BOLZANO

Ufficio Alimentazione

Al Sig. Capitano dei Carabinieri Reali, M e r a n o

Bolzano, 12 dicembre 1945.

Come d'accordo con la Prefettura di Bolzano Le comunichiamo
che il quantitativo di 907 qlli di zucchero da Lei sequestrato
nei magazzini del Signor Gasser Mattia di Lana di Sotto viene
requisito da questo Ufficio il quale provvederà al rilievo.

La preghiamo pertanto di voler consegnare a cod. Ufficio il
quantitativo suaccennato.

Il Direttore

f.to Franchi

Timbro: Prefettura di Bolzano

Stamp : Sezione Provinciale dell'Alimentazione, Bolzano
Direzione

1056

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Translation:

" In agreement with the Prefettura of Bolzano I have to inform you that the quantity of 907 qtls of sugar forfeited by you on the premises of Mr. Gasser Mattia of Lana di Sotto is now confiscated by this Office which will provide for the removal. We ask you therefore kindly to hand over to this Office the a/m quantity."

It has been checked and admitted by Gasser and the Ufficio Sepral that this letter was typed in the office of Mr. Gasser with his typewriter and the official stamp and the heading were added in the Prefettura. Contrary to the explanation given by the Prefect this letter shows that the Ufficio Alimentazione has confiscated the a/m sugar only on the 12th December 45.

In addition I have to add that on the 20 December a new denunciation was made against Mr. Menz, Vice-Sindaco of Merano as it was found that he had given to PW's certificates containing false statements. The prisoners were released from the cage on those certificates. The contents of the certificates were that the prisoner in question is a South Tyrolean who is urgently needed to work on the fields of his parents in the district of Merano. It has been checked that the persons concerned are not Italian citizens, never lived in the district of Merano and were orphans. They also did not own any fields and never worked as peasants. Also this denunciation against Menz was handed over to the Italian Authorities.

On the 22 December the sugar on the premises of Menz was taken away by the Sepral without the consent of the CC.RR. or any Judicial Authorities. The Procuratore has already questioned the head of the Sepral Mr. Franchi why he had done so and Mr. Franchi stated that he got authorization to distribute sugar in the Province of Bolzano and to hand a quantity of sugar over to the Province of Trento. The Procuratore del Regno has asked the Ispettorato Regionale per l'Alimentazione delle Venezie, which is the only competent authority for the distribution of sugar in Venezie Region whether they had knowledge about the sugar and had given instructions about the distribution. The answer of the Ufficio Alimentazione, Padova, is here reported in original as well as in English translation:

ISPETTORATO REGIONALE DELL' ALIMENTAZIONE
PER LE VENEZIE

Padova, 23 dicembre 1945.
Tel. 20460 - 23380.

3.s/3/1256.

Al Signor Procuratore del Regno - BOLZANO
Oggetto: Sequestro zucchero.

In relazione alla richiesta di cui al Foglio No 327/46 in

1055

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data 18 corr., si informa che nes un quantitativo di zucchero proveniente dalla Provincia di Bolzano è stato portato a Padova a disposizione di questo Ispettorato. Con lettera in data 31 dicembre s.a. il Supply-Officer di Bolzano ha segnalato il ricupero di ca ton. 335 di zucchero operato dall'Arma dei CC.RR. senza tuttavia specificare le Ditte presso le quali era stato posto il fermo e perciò mentre si ignora se si tratti della stessa partita cui si riferisce la lettera di V.S., si aggiunge tuttavia a maggior ragguaglio della informazione voluta, che con foglio No. 3.a/3/480 del 9 corr. indirizzate al Provincial Supply Officer, al Signor Prefetto di Bolzano ed alla Sezione Provinciale Alimentazione veniva disposto di provvedere perchè lo zucchero restasse vincolato a disposizione del Commissariato Interregionale A.I. precisando che nessuna utilizzazione doveva essere effettuata in assenza di esplicita autorizzazione da parte dello stesso Commissariato Interregionale o dell'Ispettorato scrivente.

Si esclude che fino ad oggi ordine di trasferimento o di impiego siano stati impartiti, per cui va ritenuto senz'altro arbitraria o illecita ogni azione contraria-

IL COMMISSARIATO

Signed: Dr. G. Soldano

Translation:

Subject: Requisition of Sugar.

Ref. : your request File No. 327/46 dated 18 Jan 46.

You are hereby informed that no amount of sugar provening from the Province of Bolzano has been brought to Padova at the disposition of this Ispettorato.

With letter dated 31 Dec 1945 the Supply Officer of Bolzano has notified the recovery of about 335 tons of sugar effected by the CC.RR., not specifying, however, the firms where said sugar had been confiscated. Therefore, not knowing whether the sugar in question is the same referred to in your letter, we add for you information that with letter 3.a/3/480 dated 9 Jan 46, addressed to the Provincial Supply Officer, to the Prefect of Bolzano and to the Sezione Provinciale Alimentazione order has been given that the necessary steps be taken to have the sugar held at the disposal of the Commissariato Interregionale A.I. specifying that the sugar has not to be used without express authorization of said Commissariato Interregionale or the undersigned Ispettorato.

Up to date no order concerning the transfer or the use of the sugar has been given and therefore any contrary action has to be considered arbitrary and illegal. "

This shows, however, clearly that the statement given by

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Mr. Franchi, head of the Sepral of Bolzano, is incorrect.

I had occasion during a visit paid to me by Mr. Gasser and his lawyer Alinei on or about 5 Jan 46 to put to them the question, whether there is still other sugar on the premises and it was denied by both. As a matter of fact the firm Menz and Gasser requested from the Prefettura and Sepral after the removal of the amount of sugar found by the CC.RR. on the premises an assignment of a certain quantity of sugar for industrial purposes and declared that they would otherwise be compelled to dismiss their labourers. Sepral ordered therefore that 310 qtl of sugar be handed over from the firm Zuegg to the firm Menz & Gasser for the production of jam. On the own admission of the heads of the firm on or about the beginning of January only 310 qtls of sugar were existing and this sugar was designed for the production of jam.

Surprising is therefore the result of the new search made by CC.RR. of Merano on the 29 Jan 46 on informations given to them by Capt. Palermo Salvatore, during which 2080 sacks of sugar were found in the factory of that firm. From this sugar the firm could only be in legal possession of 310 qtls, i.e. the sugar assigned to the firm by the Sepral for industrial purposes. Injustified is the possession of 1296 qtls of sugar on the own admission of Gasser, but questioned by the CC.RR. he stated that explanation could be given by Mr. Menz or his son, technical head of the manufactory. These are the facts in the case against Menz and Gasser up to date.

Raid in the factory and house of ZUEGG Vigilio.

On the 8th December 45, CC.RR. of Merano made a search in the house of Zuegg Vigilio and his Jam-Factory in the presence of Capt. G.W. Brown, and Capt. Hopkins. It has been proved that Zuegg Vigilio had sold about 600 British pound notes to a certain Herrenhofer in Lana, pound notes which finally via Bucky Raoul came in possession of Miss Elisabetta, secretary of Major Kinsele and Capt. Harmer. Mr. Zuegg admitted also at once to have acquired those pound notes from an unknown person from Milan for 250 Lire the pound.

During the search the following items were found:

- 200 wooden or iron boxes left behind by German SS-men and German soldiers. The room where the boxes were found was sealed and order was given to Zuegg not to remove the boxes.
- 2 boxes containing one duplicator machine and stationery,
- 2 " " drinking glasses, left behind by the German Lt. Plain, who had his office during the German occupation in the house of Mr. Zuegg.
- 2 boxes of Cognac, property of the German Lt. Diem.

A second room was filled with furniture which on the admission of Zuegg is the property of the German SS Officer who at present is in a F.W. cage.

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In another room 13 cartridges for revolver were found.

In the billet of the family Zuegg the following foreign currency and coins were found:

- 18 big gold coins,
- 6 small gold coins,
- 14 silver coins, 5 Mark each,
- 282 bank-notes and foreign currency of different states
- about 75 Kg. of cigarettes and tobacco of German, British and Italian origin.

Furthermore, hidden in cellars of his factory
2456 qtls of sugar were found.

For the goods found on the premises of Zuegg, without taking in consideration the possession of sugar, Mr. Zuegg will have to answer for the following offences under AMG Proclamations:

- 1) Violation of Proclamation No 1, Article IV, Section 5
Possession of ammunition without permission of AMG,
- 2) Violation of Proclamation No 1, Art. V, Section 28
Not declaring property of German origin within one month after the posting of Proclamation No 1,
- 3) Violation of Proclamation No 2, Article III, Section 3
Purchase and sale of currency to other rates than those fixed by Proclamation No 2 (rate of exchange for British pound notes: 1 pound note = 400 Lire; Zuegg has acquired for 250 Lire and sold for 300 Lire).
- 4) Violation of Proclamation No 2, Article VII, Section 5
Possession of other coins or currency than those permitted by Proclamation No 2, and not declaring the same to the nearest Finance Officer or the Bank of Italy.
- 5) Infringing of the Italian Ration Law and possession of large quantity of tobacco and cigarettes and not declaring the same.

As far as the sugar is concerned Mr. Zuegg gave the same explanation as Mr. Gesser, that means that the Prefettura and Sepral had knowledge of the existence of the sugar and he had to hide the same on instructions received from these authorities. It has been checked that the weekly returns sent by the firm Menz to the Sepral did include only an amount of 850 qtls of sugar which was also found on his premises but not touched as it has been proved that this sugar was regularly declared. Zuegg further admitted that on the 31 August 45 he has declared to the Sepral the consumption of 15 waggons (1500 qtls) of sugar for the period July 45 to 31 August 45. He admitted that this declaration made to the Sepral was untrue, and this sugar was hidden in two cellars off the factory. The declaration made on the 31 of August was made in agreement and on instructions received from Mr. Franchi and Mr. Klampfer, chiefs of the Sepral.

Those are the facts in the case Zuegg up to date.

The Procuratore del Regno has ordered to the CC.NR. on 28 January to make further searches to ascertain exactly the

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amount of sugar stored on the premises of both firms as there is certain information that there is still more sugar hidden. The searches are now going on and the result of the same will be reported in due course.

Signed: Dr. MAX KATZBURG.

CONFIDENTIAL
=====

MK/mab

Bolzano, 4 February 1945.

TO : P.S.O.

SUBJECT: Menz & Gasser and Zuegg Vigilio.

Ref. your verbal request.

I got knowledge of the raid made in the house of Gasser on 15 December 1945. At the same time I received denunciation against Menz for having issued incorrect certificates. I went immediately to Capt. Brown and asked to proceed in the cases, eventually to arrest Menz and Gasser. Capt. Brown replied that he could not decide himself, he would speak about it to the a/P.C. Major Harrison. In the afternoon I was called to Capt. Brown's Office and I was told to be very cautious and to inform CC.RR. not to arrest anybody as it was feared that this could have some political repercussions.

On the 17 December 1945 the denunciation against Zuegg Vigilio was brought to my office and Capt. Brown and Major Harrison informed by me at once. Also at this time I was instructed not to proceed and to keep the papers on my desk until further notice from Capt. Brown or Major Harrison. I was especially warned to be very attentive as this was a very delicate matter.

On or about 20 December I was called into the office of Major Harrison who told me that, as there has not been any distribution of sugar for the month of December in this Province (the Supral announced officially in the local newspaper that there would be no distribution for the month of December as there was no stock of sugar available) a special distribution of 250 gr. of sugar per head should be made in this Province. This for Xmas and new year. I was ordered to contact Mr. Klopfer who had to issue the necessary instructions. Mr. Klopfer objected against this and told us that we had to ask permission from the Ufficio Regionale Alimentazione Padova, the only competent office for the distribution of sugar. Mr. Klopfer did so by phone and telegram and a few days after I was informed that all the sugar was blocked on behalf of the Ufficio Regionale Alimentazione and no official distribution could be made in this Province.

Shortly before Xmas I called into the office of Major Harrison and we had a discussion about the sugar affair in the presence of Mr. Tischler. At this time once more the decision was made not to proceed, taking in consideration (as Mr. Tischler told) the special political situation in this province and the

1050

- 2 -

political repercussion which could arise out of this procedure. Shortly after Mr. Tischler left I was called once more into the office of Major Harrison and he pointed out that he did not believe that it would be wise to start with this procedure short before the handover to the Italian Government of this Province. He informed me also confidentially that the name of Menz was put on a list of persons suggested to replace the Prefect De Angelis which was sent to Rome and that he therefore considered it unwise to proceed at this stage.

After the first of January I was ordered to clear all the pending cases and to hand everything over to the Italian authorities. After the dismissal of the Prefect De Angelis I reported once more to the Office of Major Harrison and explained to him whether it would not be advisable to hand over the papers to the Procuratore del Regno at least as far as the other offences committed by Menz and Gasser and Zuegg Vigilio are concerned. At this time Major Harrison ordered me to hand the whole case over to the Procuratore del Regno who has to decide himself whether he has to proceed for sugar or not. This was done on the 11 January 46. Shortly after the papers were handed over to the Procuratore del Regno the whole affair was published in the local newspaper.

Signed: Dr. MAX KATZBURG.

Ref. : BZ/FO/5

4 February 1946. 14

SUBJECT: Discovered Sugar.

TO : Senior P.S.O. Bolzano.

1. Re. sugar discovered and sequestered at jam factories in LANA.

2. The first time I heard about sequestered sugar was a few days before Christmas 1945, when there was the intention to turn over a/m sugar to the Italian authorities for a special distribution to the population in view of the coming holidays. I pointed out that, according to the existing ration system, this was not regular and that, on my opinion, the sugar must remain blocked pending dispositions of the Italian Regional Food Commissioner, PADOVA. I had not been informed officially of the discovery, nevertheless, I informed by phone the Italian Food Authority at Padova of the discovery and, after having received precise figures from the Legal Office, confirmed my phone call by letter in date 31 December 45.

3. Copy of this letter was turned in to the HQ together with all AMG files. Copies of further correspondence on the matter are attached.

4. In case that, in the meantime, part of this sugar was disposed of by local SEPRAL, this would represent an arbitrary move and in contradiction with orders received by higher authority.

Signed: ERNST KLOPPER

3 Enclosures.

COPY : To Chief Liaison Officer, Bolzano
File.

C O P Y

050078

MEWB V METO NR 05186
FROM AMG VENEZIA REGION 05153//051530B
TO AMG BOLZANO

BT

RXII/FO/321 SUBJECT IS SUGAR. ACCORDING TO H// PHONE
CALL FROM SUPPLY OFFICE TO COMMISSARIATO REGIONALE
LARGE QUANTITY SUGAR HAS BEEN DISCOVERED. MAX PRECISE
DETAILS BE GIVEN PLEASE.

BT

SENT 1855 EDP AR K
RD 1855 PW AA

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COPY

from AC LIAISON BOLZANO 101015A

to REG FOOD OFFICER AMG VENEZIA REGION

BZ 109/6A. UNCLASSIFIED. SUBJECT IS SUGAR.
IN REPLY TO YOUR RXII/TO/144/321. ON THIRTY FIRST
DECEMBER COMMISSARIATO INFORMED BY LETTER ON DETAILS
OF DISCOVERY OF THREE THREE TWO TONS SUGAR BLOCKED
PENDING FURTHER INSTRUCTIONS.

1046

C O P Y

Ispettorato Regionale
dell'Alimentazione
per le Venezie

Padova, 9-1-46.

3.a/3/480

Al Provincial Supply Officer
B o l z a n o

e.p.c. Al Sig. Prefetto di
B o l z a n o

Alla Sezione Prov. Alimentazione
B o l z a n o

Oggetto: Zucchero sequestrato

Si ringrazia per la comunicazione relativa al recupero di ca 335 tonnellate di zucchero greggio e cristallino, bloccato in attesa di ulteriori direttive.

Questo Ispettorato ha provveduto a segnalare il reperimento del prodotto al superiore Commissariato Interregionale Alimentazione A.I. e in attesa delle disposizioni che saranno per pervenire, si prega di mantenere il vincolo del prodotto non autorizzandone qualsiasi utilizzazione fino a ricevimento di comunicazioni da parte del Commissariato Interregionale A.I. o dall'Ispettorato scrivente.

(s/s) Il Commissario
(Dr. G. SOLDAN)

Translation

Thanks for the information re recovery of appr. 335 tons of raw and refined sugar, blocked pending further instructions.

This Office has notified the Interregional Food Commissioner for Norther Italy and, awaiting dispositions, which will arrive, please maintain the block and do not authorize any utilization until further instructions will be received from the Interregional Commissioner or the undersigned Commissioner.

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